

Message

From: Fullagar, Jill [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7BA061353C314B40A14A8BE1EE382AE3-GABLE, JILL]
Sent: 12/13/2017 10:38:20 PM
To: Sweeney, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=37ae2b769eab4231bdf19334e3651814-SSWEENEY]; Cora, Lori [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c8850941bf1540c796559dce75c2f5ee-Cora, Lori]
Subject: RE: OR OA briefing docs

Ha! No worries, Lori. I didn't even catch where it came up, so just wanted to clarify.

Attorney Client / Ex. 5

Attorney Client / Ex. 5 The methodology they detail uses a model called Predator that is a matrix of indices for freshwater invertebrates. It is similar to other more common ones you may have heard of, like RIVPAC or B-IBI. It can only be used for freshwater, and to my knowledge, there isn't a comparable matrix for marine waters.

Jill Fullagar, Impaired Waters Coordinator
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From: Sweeney, Stephen
Sent: Wednesday, December 13, 2017 2:32 PM
To: Cora, Lori <Cora.Lori@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: OR OA briefing docs

No worries. Its all good when it comes to planktonic, pelagic pteropods (precipitously perturbed by prevalent pressures).

From: Cora, Lori
Sent: Wednesday, December 13, 2017 5:26 PM
To: Fullagar, Jill <Fullagar.Jill@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Subject: RE: OR OA briefing docs

Oops, my bad on using pelagic.

Lori Houck Cora | Assistant Regional Counsel
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From: Fullagar, Jill
Sent: Wednesday, December 13, 2017 1:44 PM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>
Subject: RE: OR OA briefing docs

And just to clarify as the words get mixed up, pteropods are **planktonic** (floating with the currents, not purposefully moving in a given direction under their own power) and can be **pelagic** (open ocean). Pelagic generally means not close to shore, so I would think could also be within state waters, 2-3 miles from shore. Either way, yes and yes, planktonic, pelagic pteropods (tongue twister!) are within OR waters.

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From: Sweeney, Stephen
Sent: Wednesday, December 13, 2017 1:00 PM
To: Cora, Lori <Cora.Lori@epa.gov>
Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: OR OA briefing docs

Excellent. And thank you for being gentle on the second point.

I have a document to finish up today but I will do the reading and answer my own questions tomorrow.

Thanks again,

Sweeney

From: Cora, Lori
Sent: Wednesday, December 13, 2017 3:57 PM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: OR OA briefing docs

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All of your other questions would be answered by reading the state's comment letter and/or our briefing memo.

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From: Sweeney, Stephen
Sent: Wednesday, December 13, 2017 12:55 PM
To: Cora, Lori <Cora.Lori@epa.gov>
Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: OR OA briefing docs

Clearly I need to do my reading assignments before I respond!

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From: Cora, Lori
Sent: Wednesday, December 13, 2017 3:44 PM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: OR OA briefing docs

Hi, Steve.

Attorney Client / Ex. 5

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From: Sweeney, Stephen
Sent: Wednesday, December 13, 2017 12:25 PM
To: Cora, Lori <Cora.Lori@epa.gov>
Subject: RE: OR OA briefing docs

Thanks. Sorry for not actually reading first (I see that they were short documents).

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- OAR 340-41-0011 – Biocriteria. Waters of the State must be of sufficient quality to support aquatic species without detrimental changes in the resident biological communities.
- OAR 340-41-007:

(1) Notwithstanding the water quality standards contained in this Division, the highest and best practicable treatment and/or control of wastes, activities, and flows must in every case be provided so as to maintain dissolved oxygen and overall water quality at the highest possible levels and water temperatures, coliform bacteria concentrations, dissolved chemical substances, toxic materials, radioactivity, turbidities, color, odor, and other deleterious factors at the lowest possible levels. *[Also, would we be interpreting the data to apply to the first part of this criterion, the second part, or both?]*

(10) The creation of tastes or odors or toxic or other conditions that are deleterious to fish or other aquatic life or affect the potability of drinking water or the palatability of fish or shellfish may not be allowed;

From: Cora, Lori

Sent: Wednesday, December 13, 2017 3:08 PM

To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>

Subject: RE: OR OA briefing docs

The three relevant WQS citations are in the briefing memo forwarded.

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From: Sweeney, Stephen

Sent: Wednesday, December 13, 2017 12:02 PM

To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>

Subject: RE: OR OA briefing docs

Good news (about my cache memory not being completely fried).

Attorney Client / Ex. 5

Thanks again,

Steve

From: Cora, Lori

Sent: Wednesday, December 13, 2017 2:46 PM

To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill

<Fullagar.Jill@epa.gov>

Subject: RE: OR OA briefing docs

Attorney Client / Ex. 5

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From: Sweeney, Stephen

Sent: Wednesday, December 13, 2017 11:43 AM

To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>

Subject: RE: OR OA briefing docs

Hi,

Sorry I'm last to respond but could one of you please re-orient me? Last I recall,

Attorney Client / Ex. 5

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Thanks,

Sweeney

From: Cora, Lori

Sent: Wednesday, December 13, 2017 1:24 PM

To: Glazer, Thomas <glazer.thomas@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>

Subject: RE: OR OA briefing docs

Attached are the State's and a member of the Coquille Tribe comment (the tribe did not comment).

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From: Glazer, Thomas

Sent: Wednesday, December 13, 2017 9:44 AM

ED_002660K_00032786-00005

To: Fullagar, Jill <Fullagar.Jill@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>

Subject: RE: OR OA briefing docs

Thanks.

Attorney Client / Ex. 5

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Could you send Steve and me the comment letters from the State and the Coquille Tribe?

Tom Glazer
USEPA Office of General Counsel
Water Law Office
7426N WJC North
(202) 564-0908

From: Fullagar, Jill

Sent: Wednesday, December 13, 2017 12:14 PM

To: Glazer, Thomas <glazer.thomas@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>

Subject: RE: OR OA briefing docs

Hi Tom,

They weren't on the Sharepoint, they were on my OneDrive, so I think it wouldn't let you access them unless I shared them with you. Try now and see if that fixed it.

Just fyi, Cheryl Brown, at ORD, has an edit for the briefing doc, but it more in citation, not substance. Thx.

jill

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From: Glazer, Thomas

Sent: Wednesday, December 13, 2017 8:33 AM

To: Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>

Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>

Subject: RE: OR OA briefing docs

Lori,

You may need to re-send these as local copies. I'm unable to access the Sharepoint versions. And when I tried to send you an access request, it got bounced back as undeliverable. Maybe Steve is having more success.

Thanks,
Tom

Tom Glazer
USEPA Office of General Counsel
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7426N WJC North
(202) 564-0908

From: Cora, Lori
Sent: Tuesday, December 12, 2017 11:07 AM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: FW: OR OA briefing docs

Hello, Steve and Tom. Hope you are well. Below are links to two documents prepared for a briefing Attorney Client / Ex. 5

Attorney Client / Ex. 5

Attorney Client / Ex. 5

Let me know if you can't access these documents off OneDrive. Thanks.


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From: Fullagar, Jill
Sent: Monday, December 11, 2017 1:41 PM
To: Croxton, Dave <Croxton.David@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Cope, Ben <Cope.Ben@epa.gov>; Labiosa, Rochelle <labiosa.rochelle@epa.gov>; Brown, Cheryl A. <Brown.Cheryl@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>; Stern, Allyn <Stern.Alyn@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Chung, Angela <Chung.Angela@epa.gov>; Lidgard, Michael <Lidgard.Michael@epa.gov>
Subject: OR OA briefing docs

Fullagar, Jill has shared OneDrive for Business files with you. To view them, click the links below.

 Director Briefing Oregon Marine Water Deliberative Process / Ex. 5 121117.docx

 Brief Summary of OR OA Deliberative Process / Ex. 5 121117.docx

Hi all,

Please find our briefing docs attached. One is the detailed rationale with works cited, the other is a very brief summary of our main points. See you in Dan's office or on the phone at 4pm. Thanks.

jill

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